

SECTION 27. HAZARDOUS AIR POLLUTANTS – MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (MACT).

- (A) Notwithstanding any other provisions of the LLCAPCPRS, 40 CFR Part 63, Subpart D §63.70 through §63.81, as effective on July 1, 2014, pertaining to compliance extensions for early reductions, are hereby adopted and incorporated by reference.
- (B) Requirements for New, Modified, or Reconstructed Sources of Hazardous Air Pollutants. Any owner/operator constructing a new source, or performing construction/reconstruction/modification at an existing source, where the potential to emit any hazardous air pollutant from the constructed/reconstructed/modified source equals or exceeds the levels specified in Article 2, Section 17, paragraph (A)(2) of the LLCAPCPRS, will only be issued a permit to construct/reconstruct/modify if best available control technology, as determined by the Director, is applied for each hazardous air pollutant for which the potential to emit exceeds the levels specified in Article 2, Section 17, paragraph (A)(2) of the LLCAPCPRS. The source shall comply with all other applicable requirements of the LLCAPCPRS. In no event shall application of best available control technology result in emissions of any pollutant which would exceed the emissions allowed by any applicable standard under Article 2, Sections 18, 23, 27, or 28.
- (C) Requirements for New or Reconstructed Major Sources of Hazardous Air Pollutants. Any new source with the potential to emit an amount equal to or in excess of ten (10) tons per year of any hazardous air pollutant or twenty-five (25) tons per year or more of any combination of hazardous air pollutants, will only be issued a permit for construction/reconstruction/modification required under Article 2, Section 17, paragraph (A)(2) of the LLCAPCPRS if maximum achievable control technology, as determined by the Director, is applied, and the source is required to comply with all other requirements of the LLCAPCPRS.
 - (1) For the purposes of this section, the provisions set forth in 40 CFR Part 63, Subpart B §63.40 (b); §63.41; §63.42 (c); §63.43 (a), (b), and (d); and §63.44, as effective on July 1, 2014, are hereby adopted and incorporated by reference.
 - (2) Except as provided in paragraph (C)(1) above, the provisions and procedures of Article 2, Section 17 of the LLCAPCPRS and paragraph (B) above apply.
- (D) Notwithstanding any other provisions of the LLCAPCPRS, the provisions set forth in 40 CFR Part 63, Subpart B §63.50 through §63.56 as effective on July 1, 2014, pertaining to maximum achievable control technology determinations for emission units subject to case-by-case determination of equivalent emission limitations, are hereby adopted and incorporated by reference.
- (E) Notwithstanding any other provisions of the LLCAPCPRS, the provisions set forth in 40 CFR Part 68 “Chemical Accident Prevention Provisions”, Subparts A thru H, as effective on July 1, 2014, are hereby adopted and incorporated by reference.

Ref: Title 129, Chapter 27, Nebraska Department of Environmental Quality